2:Evans-Pritchard E-5 (1936) 1949
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Each Luo tribe (*piny*), coterminus in the main, as has been said, with the present administrative location, was an autonomous political unit. As among the Nuer, one of the chief characteristics of a Luo tribe, and one by which its autonomy may be defined, is to be found in the different ways in which homicide was regarded and treated in pre-European days. There were local variations but in general the principle followed was that *cut*, compensation (a girl or cattle for a kinsman of the slain man to marry a wife with and raise heirs to his name,) was paid only for the killing of a fellow tribesman. No *cut* was paid for killing men of another tribe in war, raids, or as an outcome of the ritual demonstration called *buru*,[1] for they were *wasigu*, enemies, and a state of feud between the lineages involved, and sometimes of war between the two tribes, developed. Likewise no compensation could be paid for slaying a clansman, but atonement was made by the sacrifice of an ox, provided by the kin of the slayer and eaten by representatives of the whole clan, who might moreover insist on the slayer marrying a wife to the name of the dead man. The line of political cleavage between tribe and tribe thus ran through the points at which the obligation to pay compensation or make atonement for homicides ended for a particular group of people and it is so regarded by the Luo themselves. For example, when the Uyoma people and the Asembo people lived in the same territory they paid compensation for homicide between them but when they separated they ceased to pay it.

In tribes in which the tribesmen, except for some small lineages of strangers (*jodak*) intermingled with the dominant clan, are all members of the same clan, such as Karacuonyo tribe, compensation for homicide was not, or was rarely, paid, because the strangers had close kinship links with the dominant clan and would, I was told, have refused compensation in cattle, though they might have accepted a girl, since had they done so they would have emphasized a distinction they were anxious to obliterate. It was only in tribes in which there were beside the dominant clan other powerful lineages occupying their own lands within the tribal territory, as the Jokakan and Kaluo in Alego, that *cut* was paid regularly for homicide and could be enforced by appeal to arms. In other words, where there was considerable political cohesion, expressed in terms of clanship, the killing of a man was treated as a sin; where there were marked sectional interests within the political unit of the tribe it was treated as a tort; and where there were social links but political separateness it was treated, unless it was a wanton act of individual homicide, as provocation to a feud but without moral disapproval or means of legal settlement.

The political boundary, which in its moral dimension signified a balanced hostility between adjacent tribal groups, had its material expression in the *thim*. The *thim* was a stretch of bush country, the home of buffalo,

[1] If a man of one tribe killed a man of a different tribe in a personal quarrel, and not in war raiding, feud, or ritual demonstration, he might pay compensation in cattle, e.g. if a Karacuonyo man killed for some private reason a Kocia man who was taking cattle to his in-laws in Karacuonyo territory.

17: Southall E-5 (1946-1947) 1952 FL11 Luo FL11

lineage of the murdered man endeavoured to kill a member of the murderer's lineage in revenge. But the family of the murderer could forestall this process by offering a girl or twelve head of cattle in compensation. If wilful murder occurs between segments within the same maximal lineage, fighting may again occur and a member of the murderer's segment be killed in revenge. Here it is impossible for a girl of the group to be offered in compensation since she would be of the same maximal lineage and exogamous group as the murdered man, and could not be married by any kinsman of his. But the senior elder recognized by both segments calls a council representative of both, and the murderer, if judged guilty, is supposed to be exiled. When a man kills a close relative, belonging to his own minimal class A segment of the maximal lineage, it is *masiru*—a ritual offence.[1] The murderer must bury his relative and stay by the grave until *chola* (the first mourning period) is finished. He must cohabit with the dead man's wife, if she has borne no children to her husband, so that she may bear a child to be named after the dead and to guard his homestead.[2]

The level of groups between which marriage can take place thus corresponds to the level at which general relations cease to be those prescribed between kinsmen, and the groups with which marriage is possible tend to be those between which hostility is the usual attitude. The Luo recognize this correlation, and regard *ach* (in-laws) and *wasigu* (enemies) as almost interchangeable terms.

The normal form of marriage is negotiated by go-betweens on behalf of bride and bridegroom with their respective families. A transfer of cattle has to be made to the bride's family, the normal number being twelve. When the two families are agreed as to the suitability of the match, the groom arranges for a party of his friends to drag the bride from her home. The bride is expected to make a show of resistance and weeping, but it is significant that the dragging must not take place when the bride's parents are absent from the homestead. After the bride is thus brought to the *simba* of the groom, the latter deflowers her in the presence of married men and women witnesses; the tokens of her virginity are placed on potsherds and paraded in triumph to the bride's home the next day and a feast is held there. If the bride fails to prove her virginity in this way no feast is held, and one head of cattle less is paid to her family. The real commencement of a marriage is said to be the groom's sending of *ruch kode* (the 'heifer of the stick'), which goes to the bride's mother, and a bull to her father. Then comes the main payment, varying according to the wealth of the two parties and to the general level of Luo wealth in cattle at the time, but usually eight upwards. After this bride and groom live together for some time in the latter's *simba*, and then the bride gets permission to return to her own home. The groom goes there with a heifer and a bull, and the feast of *kistera* is held. This completes the statutory twelve cattle of the bridewealth. Bride and groom then return

[1] Some statistics of actual cases would be required to discover how far the level of segment within which murder is treated in this way coincides with that within which widows of kinsmen may be inherited and assistance given in marriage payments. My stay was too short for the collection of such statistics, but my impression was that such a coincidence is very vague, and it is certainly not consciously present in the minds of the Luo.

[2] Cf. Evans-Pritchard, *Some Aspects of Marriage and the Family among the Nuer*, pp. 5–10. Despite its importance among the Nuer, the obligation of ghost marriage is far from universal among Nilotic peoples. Among the Luo-speaking group it is not practised by the Kenya Luo nor by the Alur nor, probably, the Acoli.